

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA, ET AL.,

Plaintiffs,

v.

AMERICAN AIRLINES GROUP INC. and
JETBLUE AIRWAYS CORPORATION,

Defendants.

Civil Action No. 1:21-cv-11558-LTS

**PLAINTIFFS' UNOPPOSED MOTION FOR EXPEDITED BRIEFING AND
CONSIDERATION OF (1) MOTION TO COMPEL PRODUCTION OF DOCUMENTS
BASED ON AMERICAN'S INTENTIONAL WAIVER OF THE PRIVILEGE
AND (2) MOTION TO ADMIT CERTAIN EXHIBITS**

Plaintiffs respectfully move the Court for an expedited briefing schedule with respect to:

(1) Plaintiffs' Motion to Compel Production of Documents Based on American's Intentional Waiver of the Privilege (ECF No. 265) (the "Motion to Compel"), and (2) Plaintiffs' Motion to Admit Certain Exhibits (ECF No. 266) (the "Motion to Admit") (collectively, "the Motions"). The Motion to Compel seeks production of documents for which Defendants waived privilege, including by eliciting testimony during the examination of Mr. Jordan Pack on October 6, 2022. The Motion to Admit seeks to resolve evidentiary objections to certain documents on Plaintiffs' Trial Exhibit List that are similarly-situated to many admitted during the course of the trial—for example, admission of documents that contain party statements, with the stipulation that any third-party statements are not admitted for the truth of the matter asserted.

The Court's Local Rules provide that "[a] party opposing a motion shall file an opposition within 14 days after the motion is served, unless . . . another period is fixed by . . .

order of the court.” Local Rule 7.1(b)(2). Accordingly, Plaintiffs respectfully request that any opposition to the Motion to Compel be filed by October 13, 2022; and, that the Court rule on the Motion to Compel by October 14, 2022. Doing so will allow Plaintiffs sufficient time to review documents prior to the cross-examination of Dr. Mark Israel and identifying any rebuttal witnesses.

Further, Plaintiffs respectfully request that any opposition to the Motion to Admit be filed by October 18, 2022; and, that the Court rule on the Motion to Admit by October 24, 2022. Doing so will allow Plaintiffs sufficient time to identify the need for rebuttal witnesses or streamline their rebuttal.

Dated: October 11, 2022

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behalf of the Plaintiff States*

LOCAL RULE 7.1 CERTIFICATION

Pursuant to Local Rule 7.1(a)(2), I hereby certify that Plaintiffs conferred with counsel for Defendants in a good-faith effort to resolve or narrow the issues presented in this motion prior to filing. Defendants confirmed that they do not oppose this motion.

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